

3:30 P.M., Ohio County Community Center, Hartford, Ky

Meeting called to order by Judge Executive David Jones. Prayer by Magistrate Jason Bullock. Pledge to the American flag.

Those present were as follows:

David G. Jones	Judge Executive
Gregory B. Hill	County Attorney
Cheryl Morris	Fiscal Court Clerk
Hayward D. Minton	Magistrate District 1
Jason Bullock	Magistrate District 2
Richard Robinson	Magistrate District 3
Larry Keown	Magistrate District 4
Bill Burden	Magistrate District 5

Motion made by Judge Jones that the Court approve the minutes of the Regular meeting on February 17, 2009 and the Emergency Call meeting on March 4, 2009 as presented. (on file in Fiscal Court Order Book, Clerk’s office)

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the Bills, Claims, Payments, and Transfers as presented (copy on file, Clerk’s office).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to appropriate \$500 to the Audubon Area Senior Companion program and \$500 to the Audubon RSVP Program for the current fiscal year 2008-2009.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the following prioritization of Ohio County’s Unscheduled Projects List for 2009:

Rank	Control No.	Miles	Description
1.	02 092 B0231 3.00	0.100	Address left turn lane issues on US 231 at Southern Elementary School (MP 5.15 to 5.25)
2.	02 092 B0231 1.00	0.150	Add a left turn lane and storage on US 231 at Cromwell Road (MP 3.039)
3.	02 092 B0231 2.00	0.100	Address left turn lane issues on US 231 at Perdue Main Entrance (MP 3.82 to 3.83)
4.	02 092 D0054 74.00	0.100	Reconstruct intersection at KY 2671
5.	02 092 D0069 78.10	7.008	Reconstruction from William Natcher Pky at Hartford to Sunnydale Rd
6.	02 092 D0273 1.00	1.443	Reconstruction with urban section from US 231 to Goshen Church Rd in Beaver Dam

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the Treasurer’s Financial Statement for the month of February 2009 as presented (copy on file in Clerk’s Office).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the First Reading of Ordinance #2009-1-B – Budget Amendment as presented.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the following Resolution No. 09-0310 regarding the Lease with KAColt for the purchase of a Mack truck for the Road Department:

EXHIBIT C  
FORM OF RESOLUTION  
RESOLUTION NO. 09-0310

A RESOLUTION APPROVING A LEASE FOR THE FINANCING OF A PROJECT AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS RELATED TO SUCH LEASE.

WHEREAS, the governing body of the County of Ohio, Kentucky (the “Lessee”) has the power, pursuant to Section 65.940 et seq. of the Kentucky Revised Statutes to enter into lease agreements with or without the option to purchase in order to provide for the use of property for public purposes;

WHEREAS, the governing body of the Lessee (the “Governing Body”) has previously determined, and hereby further determines, that the Lessee is in need of the Project, as defined in the Lease hereinafter described;

WHEREAS, the Governing Body has determined and hereby determines that it is in the best interests of the Lessee that the Lessee and the Kentucky Association of Counties Leasing Trust (the “Lessor”) enter into a Lease Agreement (the “Lease”) for the leasing by the Lessee from the Lessor of the Project;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE OHIO COUNTY FISCAL COURT:

Section 1. Recitals and Authorization. The Lessee hereby approves the Lease Agreement (the “Lease”) and all Collateral Documents, as defined in the Lease, each in substantially the form presented to this Governing Body. It is hereby found and determined that the Project identified in the Lease is public property to be used for public purposes. It is further determined that it is necessary and desirable and in the best interests of the Lessee to enter into the Lease for the purposes therein specified, and the execution and delivery of the Lease and all representations, certifications and other matters contained in the Closing Memorandum with respect to the Lease, or as may be required by the Lessor prior to delivery of the Lease, are hereby approved, ratified and confirmed. The County Judge Executive and Fiscal Court Clerk of the Lessee are hereby authorized to execute the Lease, together with such other agreements or certifications which may be necessary to accomplish the transaction contemplated by the Lease.

Section 2. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 3. Sunshine Law. This Governing Body hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Governing Body, and that all deliberations of this Governing Body and of its committees, if any, which resulted in formal action, were in meetings open to the public in full compliance with applicable legal requirements.

Section 4. Conflicts. All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and the provisions of this Resolution shall prevail and be given effect.

Section 5. Effective Date. This Resolution shall take effect from and after its passage, as provided by law.

INTRODUCED, SECONDED AND ADOPTED, at a duly convened meeting of the Governing Body, held on Tuesday, March 10, 2009, signed by the County Judge Executive of the Lessee, attested by the Fiscal Court Clerk, filed and indexed as provided by law.

By: \_\_\_\_\_  
David Jones, County Judge Executive

Attest:

By: \_\_\_\_\_  
Cheryl Morris, Fiscal Court Clerk

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

REGULAR

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MARCH 2009

Motion made by Esq. Minton that the Court approve to add Account No. 23-5135-548-0 - Disaster Cleanup – (Payroll, Vehicle) to the Ohio County Fiscal Court Preapproved Recurring Expenses list for Fiscal Year 2008-2009.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Recommendation by Judge Jones that the Court approve to appoint Amanda Boyd to the Third District seat on the Ohio County Park Board for a three year term from January 7, 2008 through January 3, 2011 to replace Kelly Gossett.

Roll call vote:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Esq. Keown that the Court approve Official Order No. 105091 from the Kentucky Transportation Cabinet revising the State Primary Road System with the acceptance of the newly constructed bridge on KY 54 in Ohio County, KY. (copy attached)

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to authorize the Judge Executive or his designee to oversee the work to enlarge the station work area and install new countertop in the Ohio County 911 Dispatch Center.

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the recommendation by Jailer Rip Wright to hire Donna Calloway as Part-time Deputy Jailer at the rate of \$8.50 per hour effective March 3, 2009.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the recommendation of Jailer Rip Wright to hire Robert L. Goff as Part-time Deputy Jailer at the rate of \$10.00 per hour effective April 1, 2009.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

REGULAR

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MARCH 2009

Motion made by Judge Jones that the Court approve to waive the requirement listed in Section V.(B) on Page 9 of the Ohio County Fiscal Court Administrative Code Ordinance #2009-3 for each applicant employed for the ice storm disaster clean up work effective February 23, 2009 as Disaster Crew Supervisors at \$15.00 per hour and Disaster Crew at \$12.50 per hour.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to hire Patricia Richardson pursuant to Executive Order No. 2009-07-0218 as Part-time Meal Driver at the Ohio County Senior Center at the rate of \$10.00 per hour effective February 2, 2009.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the recommendation of Sheriff Elvis Doolin to hire Ronald Jerry Boling as Part-time Deputy Sheriff at the rate of \$12.50 per hour effective April 1, 2009.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to go into Closed Session to discuss pending litigation on behalf of the Fiscal Court. No other business will be discussed during the Closed Session and no official action shall be taken or consensus made by the Fiscal Court. The legal authority that allows us to go into Closed Session is KRS 61.810(1)(c) which authorizes the Fiscal Court to have discussions of proposed or pending litigation against or on behalf of the public agency. The legal reason we are going into Closed Session is for discussion of pending litigation.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to go back into Open Session. No other business was discussed or action taken during Closed Session except what was stated by me before going into Closed Session regarding pending litigation.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the meeting is adjourned.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

REGULAR

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MARCH 2009

Minton Yes  
Bullock Yes  
Robinson Yes  
Keown Yes  
Burden Yes  
Jones Yes  
And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

Motion made by Judge Jones that the Court approve to reconvene the meeting.

The motion was seconded by Esq. Bullock and after discussion of said motion the vote being called for was as follows:

Minton Absent  
Bullock Yes  
Robinson Absent  
Keown Yes  
Burden Yes  
Jones Yes  
And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to authorize the County Treasurer to make necessary transfers from Account No. 15-5220-548-0 - Landfill Account/Water Projects to necessary accounts/funds to finance disaster debris cleanup work; monies from the Landfill Account are to be reimbursed as FEMA payments come in.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton Absent  
Bullock Yes  
Robinson Absent  
Keown Yes  
Burden Yes  
Jones Yes  
And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Bullock that the meeting is adjourned.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton Absent  
Bullock Yes  
Robinson Absent  
Keown Yes  
Burden Yes  
Jones Yes  
And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

David Jones, Judge Executive

Cheryl Morris, Fiscal Court Clerk